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ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

## House of Representatives

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September 9, 2003

The Honorable John D. Ashcroft  
Attorney General of the United States  
U. S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Mr. Attorney General:

I write to express my disappointment at the Department's slow response to the June 2 Office of Inspector General Report entitled, "The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks." I just received an update from the Inspector General's office that indicates the Department has yet to fully comply with the overwhelming majority of the OIG's recommendations. While I was heartened that the OIG found that the Department was taking its recommendations seriously, as it should, I am concerned that – after three months – the Department still apparently lacks formal procedures to ensure that aliens who are innocent of having terrorist ties are not treated as terrorists, and that no mechanisms exist to ensure that detainees are not confined in inhumane conditions and denied their right to counsel.

Among the troubling items in the OIG's status report are the assessments that the DOJ still does not have in place clear and objective criteria for classifying arrested aliens as terrorists (pgs. 3- 4), formal mechanisms for documenting such a classification (pgs 5-6, 16), formal mechanisms for clearing individuals of terrorist ties (pps. 9, 11, 17), and mechanisms to reevaluate (p.13) and obtain documented legal guidance (p. 15) with respect to constitutionally suspect policies. In your June 5 testimony to the Committee, you indicated that "if there are ways for [the Department] to improve the way in which we uphold the law, we are interested in doing so and will work together with the inspector general to do that." (Hearing Transcript, p.38). The Inspector General has given you a roadmap for such improvements to avert another

The Honorable John D. Ashcroft

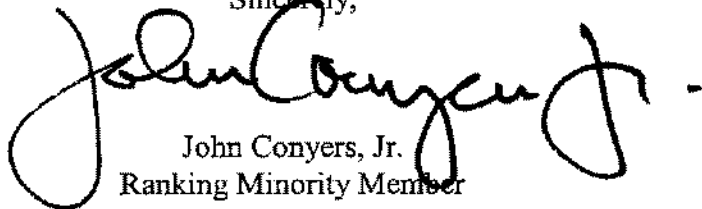
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embarrassing debacle where our criminal justice system haphazardly treats innocents as terrorists, yet the Department appears slow to comply.

I would appreciate the opportunity to meet with you about this pressing issue this week.

Sincerely,

A handwritten signature in black ink, appearing to read "John Conyers, Jr.", with a large, stylized loop at the end.

John Conyers, Jr.  
Ranking Minority Member

cc: The Honorable William E. Moschella  
Assistant Attorney General  
Office of Legislative Affairs

The Honorable F. James Sensenbrenner, Jr.  
Chairman  
U.S. House Committee on the Judiciary